

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HAINES & KIBBLEHOUSE, INC.	:	CIVIL ACTION
	:	
v.	:	
	:	
BALFOUR BEATTY CONSTRUCTION,	:	
INC.	:	NO. 08-5505

ORDER

AND NOW, this 1st day of June, 2011, upon consideration of defendant's amended motion to dismiss (docket entry # 29), plaintiff's response thereto (docket entry # 32), and defendant's reply (docket entry # 35), and each brief's exhibits, and in accordance with the accompanying Memorandum, it is hereby ORDERED that:

1. Defendant's motion to dismiss (docket entry # 29) is GRANTED;

2. Plaintiff's complaint is DISMISSED WITH PREJUDICE; and

3. The Clerk of Court shall CLOSE this case statistically.

BY THE COURT:

___\s\Stewart Dalzell

